

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE REGULAR MEETING OF TOWN COUNCIL HELD ON MONDAY, JULY 27, 2015 IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING

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1. Call to Order

Mayor Pankiw called the meeting to order at 7:00 pm, with the following in attendance:

Mayor Pankiw  
Councillor Godlonton  
Councillor Jaycox  
Councillor Webb  
Interim Chief Administrative Officer – Donna Tona, CTS  
Municipal Intern - Michael Fitzsimmons  
Director of Public Works – Rick Schmidt  
Enforcement Services - Sgt. Kyle Koller  
Director of Community Services – Cindy Bowie  
Liz Armitage, Contract Development Officer  
Recording Secretary – Kathy Blakely

Absent:

Councillor Payson  
Acting Chief Administrative Officer/Chief Financial Officer – Lori Hillis, CA

Public:

Former Rimbey RCMP Staff Sgt. Mark Groves - Delegation  
Mr. Craig Oliver, Mr. Joel Alejandro Color Garcia, and Mr. Alastair Gregor – Delegation  
Don Sheridan and Terry Willaughby - Municipal Property Consultants  
Paul McLaughlin, Rimoka Housing Foundation Chairman  
Earl Giebelhaus  
Ruben Giebelhaus  
Carey Anderson  
Stan Cummings

3members of the public

2. Public Hearing

2.1 Bylaw 902/15 Municipal Development Plan

Mayor Pankiw opened the Public hearing for Bylaw 902/15 Municipal Development Plan.

Mayor Pankiw advised the purpose of Bylaw 902/15 is a Bylaw of the Town of Rimbey, in the Province of Alberta to repeal Bylaw 672-97 Municipal Development Plan as amended, and enact Bylaw 902/15 Municipal Development Plan.

Mayor Pankiw requested confirmation of Notice of Public Hearing.

Development Officer Liz Armitage confirmed the Notice of Public Hearing was advertised for two consecutive weeks (June 9-15 and June 16-22, 2015) in the Rimbey Review. The Notice of Public Hearing was also advertised on the Town of Rimbey website.

West Central Planning agency was notified of the date of the Public Hearing and they circulated the documents to the required organizations and provincial departments.

Mayor Pankiw requested a report from development services.

Contract Development Officer Liz Armitage advised administration had completed a detailed review of the MPD and it has been decided by Administration that the plan is flawed and does not reflect what Rimbey wants to project into the future. The plan seems unfinished, does not have all the required mapping and pictures or ambiance of a Town that is going somewhere into the future. Administration is disappointed in the syntax and meaning of the plan and in comparing it with other municipalities that have had this service by the Planning Agency, Rimbey's plan is not the dynamic and

exciting plan that other municipalities are enjoying.

There will be a financial implication should administration require our planning consultant to re-work this plan by approximately \$5,000-7000.00

Administration is also aware that the Town of Rimbey received a quote from West Central Planning Agency for completion of this plan. To date Rimbey has paid \$2800.00 for the plan. There exists a scope document between Rimbey and West Central Planning with a quote range of \$8,000-\$10,000.

Mayor Pankiw inquired if any written submission had been received regarding Bylaw 902/15 Municipal Development Plan.

The Development Officer indicated three written submissions had been received.

Ponoka County – supports the amendments made to the Town of Rimbey's Municipal Development Plan as they relate to Ponoka County.

Atco Pipelines – has no objections to the Municipal Development Plan, subject to 9 conditions: land rights, separate utility lot, pipeline alterations, written approval required for ground disturbances and surface works within 30 meters, road crossings, parking, storage on right of ways, setbacks from centre of pipeline to buildings, and drainage alterations.

Alberta Transportation – has no objections to the draft MDP, however offered comments on Development Influence, commercial and main street development, transportation and future road network.

Mayor Pankiw asked the gallery if there were any persons wishing to be heard regarding Bylaw 902/15 Municipal Development Plan.

Mayor Pankiw asked a second and third time if any persons wished to be heard regarding Bylaw 902/15 Municipal Development Plan.

Mayor Pankiw thanked Development Officer Liz Armitage for her presentation.

Mayor Pankiw closed the public hearing of Bylaw 902/15 Municipal Development Plan.

3. Adoption  
Agenda

of 3.1. July 27, 2015 Agenda  
10.0 Open Forum - delete

Motion 220/15

Moved by Councillor Godlonton to accept the agenda for July 27, 2015 Regular Council Meeting, as amended.

CARRIED

Motion 221/15

Moved by Councillor Jaycox to extend the Council Meeting beyond the 90 minutes as allocated for Council Meetings in Bylaw 894/14 Town of Rimbey Procedural Bylaw.

CARRIED

4. Minutes

4.1 Minutes of Regular Council Meeting of June 22, 2015  
4.2 Minutes of Special Council Meeting of July 3, 2015

Motion 222/15

Moved by Councillor Webb to accept the Minutes of the Regular Council Meeting of June 22, 2015, as presented.

CARRIED

Motion 223/15

Moved by Councillor Webb to accept the Minutes of the Special Council Meeting of July 3, 2015, as presented.

CARRIED

## 5. Delegation

5.1 Staff Sgt. Mark Groves (7.1)

Mayor Pankiw welcomed Former RCMP Staff Sgt. Groves to the Council Meeting.

Interim Chief Administrative Officer Donna Tona thanked Staff Sgt. Groves for attending the Council Meeting. She outlined to the gallery administration requested Former Staff Stg. Groves to attend the Council meeting to thank him for his services on behalf of the Town of Rimbey, Ponoka County and our residents which he so diligently served.

Mayor Pankiw also thanked Former Staff Sgt. Groves and presented him with a presented Mark Groves with a limited edition print of the "Next Goal Wins".

Mr. Groves thanked the citizens of the Town of Rimbey, Ponoka County and Town Council for all their support over his years in the Town of Rimbey.

Mr. Groves departed the meeting at 7:20 pm.

5.2 Mr. Craig Oliver – Website Design Options (7.2)

Mr. Oliver presented to Council an overview of a website design.

Chief Administrative Officer Donna Tona, thanked Mr. Oliver and his associates for their presentation.

Mr. Oliver and his associates departed the meeting at 7:40 pm.

## 6. Bylaws

6.1 Bylaw 902/15 Municipal Development PlanMotion 224/15

Moved by Councillor Jaycox to not give second reading to Bylaw 902/15 Municipal Development Plan.

CARRIED

Motion 225/15

Moved by Councillor Jaycox to have our in house Contract Development Officer Liz Armitage prove Council with a quote to prepare a Municipal Development Plan.

CARRIED

6.2 Bylaw 903/15 Amendment to Land Use Bylaw – Rimoka Storm Water Pond Land Use Re-designation to MRMotion 226/15

Moved by Councillor Godlonton to give first reading to Bylaw 903/15 Amendment to Land Use Bylaw – Rimoka Storm Water Pond Land Use Re-designation to MR

CARRIED

Motion 227/15

Moved by Mayor Pankiw to hold a public hearing for Bylaw 903/15 Amendment to Land Use Bylaw – Rimoka Storm Water Pond Land Use Re-designation to MR at the Aug 24 2015, Regular Council Meeting.

CARRIED

6.3 Bylaw 904/15 – Municipal Reserve SubdivisionMotion 228/15

Moved by Mayor Pankiw to give first reading to Bylaw 904/15 Municipal Reserve Subdivision.

CARRIED

Motion 229/15

Moved by Councillor Jaycox to hold a public hearing for Bylaw 904/15 Municipal Reserve Subdivision on August 24, 2015, at the Regular Council Meeting.

CARRIED

## 7. New and Unfinished Business

7.1 Staff Sgt. Mark Groves Delegation Discussion (5.1)Motion 230/15

Moved by Councillor to accept the presentation to Former Staff Sgt. Groves as information.

CARRIED

7.2 Mr. Craig Oliver Website Design Options Delegation Discussion (5.2)Motion 231/15

Moved by Councillor Godlonton to accept the presentation from Mr. Craig Oliver regarding the web site design, as information.

CARRIED

7.3 Tagish Engineering Updates for June 16 and June 30, 2015Motion 232/15

Moved by Councillor Jaycox to accept the Tagish Engineering Updates for June 16, June 30 and July 14, 2015, as information.

CARRIED

7.4 Rimbey 2015 Public AuctionMotion 233/15

Moved by Councillor Jaycox to proceed with the public auction and approve the Town of Rimbey 2015 Public Auction Terms and Conditions as follows:

1. Redemption of a parcel of land offered for sale may be effected by certified payment of all arrears, penalties and costs at any time prior to the auction.
2. Each parcel of land offered for sale will be subject to a reserve bid and to the reservations and conditions contained in the existing certificate of title.
3. The lands are being offered for sale on an "as is, where is" basis, and the Municipality makes no representation and gives no warranty whatsoever as to the suitability of the lands for any intended use by the successful bidder.
4. GST will apply to all properties subject to GST sold at the auction.
5. The purchaser of the property will be responsible for property taxes for the current year.
6. The successful bidder must, at the time of the sale, make a

non-refundable ten percent (10%) deposit in cash, certified cheque or bank draft payable to the municipality, with the balance of the purchase price due within thirty (30) days of the sale.

7. No terms or conditions of sale will be considered other than those specified by the municipality.
8. The auctioneer, councillors, the chief administrative officer and the designated officers and employees of the municipality must not bid or buy any parcel of land offered for sale, unless directed by the municipality to bid for or buy a parcel of land on behalf of the municipality.
9. If no offer is received on a property or if the reserve bid is not met, the property cannot be sold at the public auction.
10. Once the property is declared sold to another individual at public auction the previous owner has no further right to pay the tax arrears.
11. The risk of the property lies with the purchaser immediately following the auction.
12. The purchaser will be required to execute a Sale Agreement in form and substance provided by the municipality.
13. The purchaser is responsible for obtaining vacant possession.
14. The purchaser will be responsible for the transfer registration fee.
15. The municipality may, after the public auction, become the owner of any parcel of land that is not sold at the public auction.

CARRIED

Motion 234/15

Moved by Councillor Webb to accept the reserve bid for Roll #11270, Civic Address of 4613 - 53 Avenue of \$103,230.

CARRIED

Motion 235/15

Moved by Councillor Godlonton to accept the reserve bid for Roll #14750, Civic Address of 4905 - 57 Avenue of \$119,760.

CARRIED

7.5 Residential Spec Homes – Request for Tax Relief

Motion 236/15

Moved by Councillor Godlonton to accept option 1 presented being:

- 1) As a development incentive direct Administration to work with a lawyer to draft an agreement which will allow residential spec built homes to remain at bare land tax rate for the duration of one year from the time that construction is complete should the following conditions be met:
  - a. The reduced tax rate is available for the duration of one year from the time that construction is complete or until the home is sold or is occupied.
  - b. The developer must build a minimum of 2 spec homes and maximum of 5 spec homes to participate in the program.

With the addition of:

- c. There be a standard building timeframe for construction of twelve months from start to finish of construction.

CARRIED

7.6 Town Legal ServicesMotion 237/15

Moved by Councillor Webb to rescind Motion 328/14 from the Organizational Meeting held on October 27, 2014.

CARRIED

Motion 238/15

Moved Councillor Jaycox to request Administration to investigate and provide an analysis of alternative legal counsel at a future Regular Council Meeting.

CARRIED

Mayor Pankiw recessed the Council meeting at 8:25 pm.

Mayor Pankiw reconvened the Council meeting at 8:31 pm

Motion 239/15

Moved by Mayor Pankiw to move agenda item 7.12 prior to agenda item 7.7.

CARRIED

7.12 Bare Land Sub Category for TaxationMotion 240/15

Moved by Councillor Jaycox to have Administration provide further information regarding the MGA requirements for cancellation, reduction, refund or deferral of taxes and refer this to 2016 budget deliberations.

CARRIED

Mr. Sheridan and Mr. Willaughby, and Mr. Carey Anderson departed the meeting at 8:50 pm.

7.7 Subdivision Application – 1530066 Alberta Ltd.Motion 241/15

Moved by Councillor Jaycox to table the Subdivision Application from 1530066 Alberta Ltd. to the August 24, 2015 Regular Council Meeting to allow time for any comments regarding the proposed subdivision to arrive from West Central Planning Agency.

CARRIED

7.8 Evergreen Estates Grinder PumpMotion 242/15

Moved by Mayor Pankiw to get the replacement grinder pump which will be supplied by Carey Anderson, (to be used by Midwest Propane (5100 – 61st Avenue) and Napa Auto Parts (5104 – 61st Avenue)), up and running immediately, and Administration is to develop a cost sharing agreement between Stretch Construction and the Town of Rimbey for these immediate repairs, and further to develop a cost sharing agreement to phase in the electrical changes and other requirements needed for completion, over the next 1 – 2 years.

CARRIED

7.9 Independent Review of SalariesMotion 243/15

Moved by Councillor Godlonton to extend the Independent Review of Salaries until September 30, 2015.

CARRIED

#### 7.10 Arena Rates

##### Motion 244/15

Moved by Councillor Webb to increase the current rates of all ice rentals categories for the 2015/2016 and 2016/2017 seasons by \$10.00.

CARRIED

#### 7.11 Subdivision Application – SJC Developments

##### Motion 245/15

Moved by Councillor Jaycox to approve the Subdivision Application from SJC Development Corporation (within Lot 1, Block 19, Plan 0729960) with the following conditions as recommended by West Central Planning Agency, with the exception of condition 8, being amended to cash in lieu of Municipal Reserve equal to 0.221 hectares payable to the Town of Rimbey.

1. Engage an Alberta Land Surveyor to prepare a plan of subdivision to be registered at Land Titles Office based on the approved West Central Planning Agency drawing dated July 2nd, 2015. On completion of the survey plan, your surveyor must submit the plan to West Central Planning Agency for endorsement.

2. The applicant shall enter into and comply with a development agreement, on terms satisfactory to the Town of Rimbey, for the purposes described in Section 655 of the *Municipal Government Act*, and including:

- a. The provision of municipal services, utilities and the payment of related fees and levies.
- b. Provision to assist in future improvement to the intersection of 50th Ave and Rimstone Dr.
- c. All shallow services including but not exclusive to natural gas, power, and cable.

3. The applicant is required to build Rimstone Drive to Town specification to ensure each propose lot has public road access.

4. If necessary, you are to pay any outstanding offsite levies. Please contact the Town of Rimbey to arrange for payment of these fees.

5. Make any necessary changes to the gas utility, AltaGas Utilities, to provide service to the lots and provide any easements required.

6. Make arrangements with the power utility, Fortis, to provide service to the lots, and provide any easements required.

*(You should contact the utilities before finalizing the survey, because they may require easements to be registered simultaneously with the plan of subdivision.)*

7. Any outstanding taxes on the property are to be paid.

~~8. The applicant is to dedicate municipal reserves along the west side of lot 6. The amount shall equate to 0.221 hectares.~~

8. The applicant will pay the Town of Rimbey, cash in lieu of Municipal Reserves, for 0.221 hectares of land, at a rate, to be mutually agreed upon between the applicant and the Town of Rimbey, based on the assessment value of the land.

9. The applicant is to pay an endorsement fee of \$1000 to West Central Planning Agency.

CARRIED

## 8. Reports

Mr. Cummings departed the Council Meeting at 9:25 pm.

8.1 Department Reports

- 8.1.1 Chief Administrative Officer Report
- 8.1.2 Director of Public Work's Report
- 8.1.3 Director of Community Services Report
- 8.1.4 Community Peace Officer's Report
- 8.1.5 Contract Development Officer Report

Motion 246/15

Moved by Councillor Webb to accept the department reports as information.

CARRIED

8.2 Boards/Committee Reports

- 8.2.1 Rimoka Housing Foundation Board Meeting Minutes of May 27, 2015
- 8.2.2 Rimbey Historical Society Board Meeting Minutes of June 19, 2015
- 8.2.3 Rimbey FCSS/RCHHS Board Meeting Minutes of May 20, 2015
- 8.2.4 Beatty Heritage House Society Board Meeting Minutes of June 1, 2015

Motion 247/15

Moved by Councillor Jaycox, to accept the Rimoka Housing Foundation Board Meeting Minutes of May 27, 2015, the Rimbey Historical Society Board Meeting Minutes of June 19, 2015, the Rimbey FCSS/RCHHS Board Meeting Minutes of May 20, 2015, and the Beatty Heritage House Society Board Meeting Minutes of June 1, 2015, as information.

CARRIED

8.3 Council Reports

- 8.3.1 Mayor Pankiw's Report
- 8.3.2 Councillor Godlonton's Report
- 8.3.3 Councillor Jaycox's Report
- 8.3.4 Councillor Webb's Report

Motion 248/15

Moved by Councillor Godlonton to accept the reports of Council as information.

CARRIED

Mayor Pankiw recessed the Council meeting at 9:30 pm.

Mayor Pankiw reconvened the Council meeting at 9:37 pm.

## 9. Correspondence

9.1 None

## 10. Open Forum

10.1 Open Forum – deleted from agenda

## 11. In Camera

- 11.1 Legal (Pursuant to Division 2, Section 27(1)(A) of the Freedom of Information and Protection of Privacy Act.)
- 11.2 Personnel (Pursuant to Division 2, Section 17(2) of the Freedom of Information and Protection of Privacy Act)

Motion 249/15

Moved by Councillor Godlonton the Council the meeting go in camera at 9:37 pm, pursuant to Division 2, Sections 27(1) and 17(2), of the Freedom of Information and Protection of Privacy Act, with all Council, Interim Chief Administrative Officer Donna Tona, Municipal Intern Michael Fitzsimmons, Contract Development Officer Liz Armitage, Director of Public Works Rick Schmidt, Director of Community Services Cindy Bowie, Director of Emergency Services Kyle Koller, Mr. Earl Giebelhaus, Mr. Ruben Giebelhaus and Recording Secretary Kathy Blakely, to discuss legal and personnel issues.



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CARRIED

Mr. Earl Giebelhaus and Mr. Ruben Giebelhaus departed the meeting at 10:05 pm.

Motion 250/15

Moved by Councillor Webb the meeting reverts back to an open meeting at 10:34 pm.

CARRIED

Motion 251/15

Moved by Councillor Godlonton to have Administration seek legal counsel from Brownlee LLP, to determine if the Town of Rimbey has any course of action regarding the ongoing the issues pertaining to the spray park.

CARRIED

Motion 252/15

Moved by Councillor Godlonton to cease all repairs and maintenance on the spray park, until Administration receives a legal opinion from Brownlee LLP.

CARRIED

Motion 253/15

Moved by Councillor Webb to appoint Jay Cottell as a member to the Rimbey Municipal Library Board, for a three year term, effective July 28, 2015.

CARRIED

Motion 254/15

Moved by Councillor Jaycox to evict Helping Hands from the Boy Scout Hall, effective immediately.

CARRIED

Motion 255/15

Moved by Councillor Webb to honor the "Appendix to the Land Use Lease Agreement between the Town of Rimbey and the Rimbey Agricultural Society" signed October 29, 2002, regarding the removal of the building and cleanup of the premises.

CARRIED

12. Adjournment

Motion 256/15

Moved by Councillor Webb to adjourn the meeting.

CARRIED

Time of Adjournment: 10:37 p.m.



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MAYOR



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ACTING CHIEF ADMINISTRATIVE OFFICER